



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



July 21, 2005

James E. Hartl, AICP
Director of Planning

TO: Wayne Rew, Chair
Pat Modugno, Vice Chair
Leslie G. Bellamy, Commissioner
Harold V. Helsley, Commissioner
Esther L. Valadez, Commissioner

FROM:  Julie Moore, AICP, Head
Community Studies I Section

SUBJECT: **DISCUSSION ON OPTIONS FOR ALLOWING RESIDENTIAL AND
MIXED-USE DEVELOPMENTS IN COMMERCIAL ZONES
THROUGH AN ADMINISTRATIVE PROCEDURE
(JULY 27, 2005 MEETING – ITEM #9)**

BACKGROUND

On June 21, 2005, the Board of Supervisors directed the Department of Regional Planning (DRP) to report back in 60 days with findings and recommendations for allowing residential and mixed-use developments in commercial zones through an administrative procedure. On June 22, 2005, in response to the motion, the Commission directed the DRP staff to return midway through the study to report on the findings to date. The staff recommendations in the Board report will incorporate the input received from the Commission, as well as the input received from upcoming meetings with the Board offices, the County's Housing Advisory Committee and staff from the Community Development Commission.

The purpose of this memorandum is to update you on the status of our efforts on this project and to suggest some issues for discussion at your July 27, 2005 meeting. Although no formal action is required, we would appreciate any comments and suggestions that you may have to enhance the report.

The Board motion (copy attached) directs the Department of Regional Planning to do the following:

1. Study and make recommendations on options for modifying the County's commercial zones in the unincorporated areas to allow the processing of residential developments and mixed-use projects through an administrative procedure; and

2. Consider the different circumstances and different parts of the County that would be applicable, and work with each Supervisorial District's Planning Deputy to take into consideration each District's commercial zones; and
3. Report back to the Board within 60 days with findings, including provisions for maintaining the commercial uses along the County's major commercial corridors.

OUTLINE OF THE STUDY

Below is a summary outline of the study, as well as preliminary options that the staff has identified, to date:

Introduction/Purpose

This section will state the purpose of the study, which is to consider residential uses in commercial zones through an administrative, non-discretionary procedure. The section will also relate the study to the Department of Regional Planning's efforts to remove regulatory barriers to housing production and to promote infill development.

Background

The first part of this section will give a chronology of the County's policies and actions on allowing residential uses in commercial zones. The findings to date indicate that historically, the County has wavered from restrictive to non-restrictive policies to allow residential uses in commercial zones.

Allowing Residential Uses in Commercial Areas in the Unincorporated Areas

Pre-1964	Residential uses permitted in all C-zones
1964	The Regional Planning Commission issues a report on residential uses in commercial zones; the Board of Supervisors passes an urgency ordinance to prohibit residential uses in commercial zones unless a "special use permit" (predecessor of the conditional use permit) is first obtained.
1965	The Board of Supervisors adopts an ordinance to prohibit residential uses in commercial zones unless a "special use permit" is first obtained.
1983	The Board of Supervisors adopts the new Commercial Residential combining zone, ()—CRS, which permits residential uses in designated commercial zones through a director's review (adopted along with the ()—PO Unlimited Residential-Professional Office combining zone, which allows limited commercial uses in R-4 with a CUP.)
1983	The adoption of the MXD Mixed Use Zone to provide for planned mixed use developments, which may contain residential, commercial, industrial and other such uses.
1999	The Board of Supervisors adopts the Blue Line TOD ordinance, which allows residential uses in C-2 and C-3 zones through a director's review in designated transit-oriented districts.

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2002/2003	In 2002, in response to a Board motion, the Department of Regional Planning makes a recommendation to study and allow residential uses in commercial zones with a director's review. In 2003, a report issued by the County's Housing Advisory Committee on strategies for increasing housing production makes the same recommendation.
2003	The Board of Supervisors adopts the Florence-Firestone Community Standards District, which allows residential uses in C-2 and C-3 through a director's review.
2005	The Board of Supervisors adopts the Green Line TOD ordinance, which allows residential uses in C-2 and C-3 zones through a director's review in designated transit-oriented districts.
2005	The Board of Supervisors directs the DRP to consider options for allowing residential uses in commercial areas through an administrative process.

The second part of this section will evaluate the goals established by the adopted General Plan and adopted Community Plans for allowing residential and mixed use projects in commercially designated areas. In addition to the General Plan, our findings indicate that a majority of the Community Plans support the allowance of residential uses in commercial areas, where appropriate. The *Antelope Valley Area General Plan*, for example, allows residential uses in commercial and even industrially designated land, provided that certain standards and conditions are met. Others, such as the East Los Angeles Community Plan and the Altadena Community Plan, establish mixed use districts that allow residential uses on commercially designated land.

Comparison to Other Local Jurisdictions

This section will give an overview of the policies and tools of some nearby and comparable local jurisdictions for allowing residential uses in commercial zones. To date, the staff has researched policies in the City of Los Angeles, the City of Santa Monica and the County of Alameda. This section will take a closer look at the City of Los Angeles, which allows residential uses in all C-zones by-right, and has created Residential Accessory Services zones (RAS) to encourage mixed use development (residential/commercial) along underutilized commercial corridors.

Current Context

This section will discuss the diverse political and physical landscape of the unincorporated areas, and the unique challenges that we face in planning for such a complex environment. In this context, the staff will outline the implications for allowing residential uses in commercial zones through an administrative procedure, and where such development may be appropriate. This section may also include the results of a windshield GIS survey to illustrate the percentage breakdown of commercially-zoned land, by Supervisorial District.

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Zoning Provisions

This section will provide an overview of the existing zoning provisions in Title 22 that allow residential uses in commercial zones. The first part of this section will explore the current CUP process, including the lack of development standards for residential uses in commercial zones, and an analysis of the number of CUPs that have been processed for residential uses in commercial areas.

The second part of this section will provide an overview of the existing zoning provisions in Title 22 that allow residential uses in commercial zones through an administrative procedure. Our preliminary findings show that one alternative to modifying the current commercial zones is to expand the use of the () – CRS Commercial-Residential zone, which allows residential uses in designated C-3 zones through a director's review. Our findings show that the () – CRS combining zone is currently underutilized in the unincorporated area. Our findings may include an analysis of the number of applications for residential uses in commercial zones involved the () – CRS combining zone. Another alternative is to modify existing and create new special districts to tailor housing strategies to specific geographic areas. Currently, residential uses are allowed in commercial zones through an administrative procedure in the Florence-Firestone Community Standards District and the Blue Line and Green Line Transit Oriented Districts.

Zoning	Permitted Residential Uses	
	CUP	Non-Discretionary
C-1: Restricted Business	Residences, single family, Residences, two family, apartment houses.	
C-2: Neighborhood Business	Residences, single family, Residences, two family, apartment houses.	
C-3: Unlimited Commercial	Residences, single family, Residences, two family, apartment houses.	
C-H: Commercial Highway	Residences, single family, Residences, two family, apartment houses.	
C-M: Commercial Manufacturing	Residences, single family, Residences, two family, apartment houses.	
CPD: Commercial Planned Development	Zone R-A uses	
MXD: Mixed Use Development	Any use listed as permitted, accessory, subject to director's review or subject to permit in R-A. Any use permitted in zones R-4, M-1, A-C, and SR-D, or any combinations.	
() – CRS: Commercial-Residential		In C-3, any single family residence, two family residence or apartment house; commercial developments with residential uses, subject to development standards.
East Los Angeles CSD	Mixed residential in area designated "Commercial/Residential Mixed Use Area" on the Land Use Policy map.	

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West Athens-Westmont CSD	Area specific standards for the area along Century Blvd. that allow residential or commercial uses.	
Florence-Firestone CSD		C-2, C-3 Residential and mixed Residential/Commercial uses, subject to specified development standards.
Blue Line and Green Line TODs		C-2, C-3 Mixed commercial and residential, senior citizen developments, single family residences, two family residences, two family, apartment houses.

RECOMMENDATION OPTIONS

We will finalize our recommendations to the Board, once we have consulted with the Board Planning Deputies, the Regional Planning Commission, members of the County's Housing Advisory Committee, and staff at the Community Development Commission. However, based on our findings, to date, we have identified the following basic **options** for allowing residential uses in commercial zones through an administrative procedure:

1. Modify some or all commercial zones to allow residential uses, and develop standards for residential uses.
2. Modify commercial zones to allow residential uses strictly through mixed use projects (residential/commercial), in which the first floor is restricted to commercial uses, and retain the CUP requirement for projects that are 100% residential.
3. Conduct a rezoning study and apply existing ()-CRS Commercial-Residential combining zoning to existing properties, in order to allow residential uses in commercial zones through an administrative procedure, where appropriate.
4. Apply above, but modify the existing ()-CRS Commercial-Residential combining zoning to include other commercial zones in addition to C-3.
5. Create new special districts, such as Transit-Oriented Districts and Community Standards Districts, to allow residential uses in commercial zones through an administrative procedure, where appropriate.
6. Establish a new "Infill Housing District" within the urban area.
7. Further study to determine appropriate areas for allowing residential uses in commercial zones through an administrative review, and to relate the allowance of residential uses in commercial zones through an administrative review to other infill housing-related studies and efforts being conducted by the Department of Regional Planning.

DISCUSSION

Consider the following issues for discussion at your meeting on July 27, 2005:

Regarding potential conflict of uses:

- Are there potential negative impacts that *new residential* uses could have on *commercial* uses in a commercial zone? If we allow residential uses in all commercial zones through an administrative review, how can we mitigate that potential impact?
- Are there potential negative impacts that *new commercial* uses could have on *residential* uses in a commercial zone? If we allow residential uses in all commercial zones through an administrative review, how can we mitigate that potential impact?
- Would restricting residential uses in commercial zones to mixed-use projects, e.g., ground floor commercial, residential on top, help mitigate those potential negative impacts?
- What are the *positive* impacts? Do the positive impacts outweigh the negative impacts?

Regarding development standards:

- What are the appropriate development standards for residential uses in commercial zones, e.g., density, building height, set-backs, parking standards, street access requirements, landscaping, water and sewer capacity requirements, etc.?
- Should mixed use projects (residential/commercial) have different standards than 100% residential projects?

Regarding major commercial corridors:

- What role does housing play in strategies to revitalize "declining" commercial corridors?
- Does the introduction of residential uses in a major commercial corridor have the potential to make the commercial uses less viable? Would there be a negative effect on property values?

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- What would be the appropriate criteria for determining whether or not a major commercial corridor is in "decline"?

Regarding a countywide vs. community-level strategy:

- If we allow residential uses in commercial zones through an administrative procedure, what is the best way to address the wide range of commercial uses in the unincorporated areas? How appropriate is allowing residential or mixed-use developments in commercial zones through an administrative procedure in rural areas, or suburban areas, or urban areas?
- What is the appropriate strategy for allowing residential uses in commercial zones through an administrative review? Should it apply to all C-zones? Certain C-zones? Specific geographic areas/communities?

We are looking forward to receiving your comments on these issues. Should you have any questions, please contact me or Connie Chung at (213) 974-6425, or jmoore@planning.co.la.ca.us or cchung@planning.co.la.ca.us.

JTM:cc

Attachment: Board motion (June 21, 2005).



MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Violet Varona-Lukens, Executive Officer
Clerk of the Board of Supervisors
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

Director of Planning

At its meeting held June 21, 2005, the Board took the following action:

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Supervisor Molina made the following statement:

"There continues to be a housing shortage in Los Angeles County, which adversely affects housing affordability for all of Los Angeles County's residents. The Southern California Association of Governments reported earlier this year that, between 1998 and 2005, Los Angeles County has issued building permits for the construction of only 21,682 out of 52,202, or 37 percent, of the housing units needed in the unincorporated area to meet its fair share of the regional housing needs.

"Given the current housing crisis, it is imperative that the County develop creative solutions to increase the housing supply, such as eliminating unnecessary barriers to housing development. Under current zoning, residential uses in commercially-zoned areas require a Conditional Use Permit. My concern is that requiring a Conditional Use Permit may discourage infill housing from being built in areas that are best suited to sustaining new housing opportunities. There may be commercially-zoned areas, such as declining commercial corridors, which pose opportunities to build infill housing and mixed-use developments. The unrealized potential in our commercial zones is an opportunity for housing that Los Angeles County cannot afford to ignore."

Julie Moore, Supervising Regional Planner of Community Studies, Department of Regional Planning, addressed the Board.

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After discussion, on motion of Supervisor Molina, seconded by Supervisor Burke, duly carried by the following vote: Ayes: Supervisors Burke, Yaroslavsky, Knabe, and Molina; Noes: Supervisor Antonovich, the Director of Planning was instructed to:

1. Study and make recommendations on options for modifying the County's commercial zones to allow processing of residential developments and mixed-use projects through an administrative procedure;
2. Consider the different circumstances and different parts of the County that would be applicable and work with each Supervisorial District's Planning Deputy to take into consideration each District's commercial zones; and
3. Report back to the Board within 60 days with findings, including provisions for maintaining the commercial uses along the County's major commercial corridors.

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Copies distributed:

Each Supervisor
Chief Administrative Officer
County Counsel